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July 30, 2004

To: Community Care for the Aged and Disabled (CCAD) Primary Home Care Providers

Subject: Long Term Care (LTC)
Revised Information Letter No. 04-25
Repeal of Chapter 47, and Adoption of Chapter 47, Contracting to Provide Primary Home Care, **Effective June 1, 2004**

Information in this letter has not changed with the exception of the removal of a deadline for Primary Home Care provider completion of the computer based training (CBT). When the CBT is available on the Internet, a notice will be sent. The notice will include a monitoring schedule.

Effective June 1, 2004, the Texas Department of Human Services (DHS) repealed the provider agency rules for the Primary Home Care (PHC) program, which were found in 40 Texas Administrative Code (TAC), Chapter 47. New provider agency rules for the PHC program were adopted in 40 TAC Chapter 47, Contracting to Provide Primary Home Care.

- These rules are re-written in "Plain English" format.
- Language that duplicates Home and Community Support Services Agencies licensure requirements was eliminated in order to reduce redundancy. Agencies must deliver services through the Personal Assistance Services category of licensure and be in compliance with those regulations.
- A rule has been added to require the use of Interdisciplinary Team Meetings to address service delivery issues identified by the provider agency.

Documentation:

The new rules do not require the use of specific forms by the provider agencies, but rather specify required elements for documentation. DHS will develop certain forms, which may be used by agencies.

Notification to DHS:

With adoption of these rules, provider agencies are required to send notice of the date of the practitioner's statement to:

- The case manager for Title XIX PHC, or
- The regional nurse for Community Attendant (CA) Services

For PHC, CA, and Family Care services, the provider agency will send the case manager the service initiation date.

Please note: Due to automation issues noted below, agencies must continue to send the practitioner's statement date to the regional nurse for entry in the Service Authorization System (SAS) until June 28, 2004. After June 28, 2004, the above bullets will apply.

CA Annual Reauthorization:

The provider agency must send the following to the regional nurse to obtain annual reauthorization for CA Services:

- (A) the DHS' Authorization for Community Care Services form received from the case manager; and
- (B) a signed statement indicating whether the provider agency supervisor agrees or disagrees with the tasks and hours indicated on DHS' Authorization for Community Care Services form.

Automation:

Automation to support PHC authorizations in SAS by the caseworker is not yet deployed. This SAS function will be available June 28, 2004.

- Provider agencies must send the practitioner's statement date to the regional nurse for entry in SAS until June 28, 2004.

Service Interruptions:

Provider agencies are no longer required to request written or verbal approval of service breaks. Provider agencies will maintain documentation of service interruptions in their client files, rather than sending a request for approval to the caseworker.

Implementation:

While the new rules are effective June 1, 2004, agencies will not be monitored for compliance with the new rules until they are provided an opportunity for training, which will be made available in the form of computer-based training. New Primary Home Care Program Compliance and Fiscal Monitoring Forms are being developed to measure provider compliance with the adopted rules. More information on contract monitoring and the computer-based training will be sent in another letter.

You may access these rules through the Secretary of State's TAC Viewer at <http://www.sos.state.tx.us/tac/index.shtml>, or through the Community Care Website at <http://www.dhs.state.tx.us/programs/communitycare/rules/index.html>.

These rules may also be accessed in the revised PHC Provider Manual under "Contracting to Provide Primary Home Care Services" available online at:

<http://www.dhs.state.tx.us/handbooks/cpphcs/>.

Please contact your contract manager if you have questions regarding this letter. Contract managers should contact Janice Wallace at (512) 438-2188 or Cathy Horton at (512) 438-4259.

Sincerely,

Signature on file

Bettye M. Mitchell
Deputy Commissioner
Long Term Care

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